REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed October 13, 2006. Applicant appreciates the Examiner's consideration of the Application. At the time of the Final Office Action, Claims 1-5 and 11-12 were pending in the Application and stand rejected. In order to advance prosecution of this Application, Applicant has responded to each notation by the Examiner. Applicant respectfully requests reconsideration and favorable action in this case.

Claims 1 and 11 have been amended. Applicant believes that the amendments place the case in condition for allowance or in better condition for appeal, do not raise the issue of new matter, and do not present new issues requiring further consideration or search. Accordingly, Applicant respectfully requests that the Examiner enter the amendments.

Section 112 Rejection

The Examiner rejects Claims 1 and 11 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Specifically, the Examiner argues that the phrase "the out table is unsearchable by a user" is not supported by the specification. Office Action, page 2, paragraph 3. Applicant respectfully traverses this rejection for the reasons discussed below.

The subject matter of Claims 1 and 11 is fully supported by the specification. For example, the specification at page 3, lines 27-29 and at page 5, lines 18-24 supports the subject matter. Thus, the claims are allowable under 35 U.S.C. § 112. Accordingly, Applicant respectfully requests reconsideration and allowance of Claims 1 and 11.

Section 101 Rejection

The Examiner rejects Claims 1 and 11 under 35 U.S.C. §101 and argues that the claims are directed to statutory subject matter. The Examiner argues that Claims 1 and 11 and do not produce useful, concrete, and tangible results. Office Action, page 3, paragraph 1. Applicant respectfully traverses this rejection for the reasons discussed below.

Interim guidelines require that the claimed invention must transform an article or physical object to a different state or thing or ***otherwise produce a useful, concrete, and tangible result***. Interim Guidelines for Examination of Patent Applications for Patent Subject

Matter Eligibility ("*Interim Guidelines*"), 1300 Off. Gaz. Pat. Office 142, at 10 (2005) (emphasis added).

Useful Result

Applicant respectfully submits that Claim 1 produces a useful result. To produce a useful result, a claimed invention must have a utility that is specific, substantial, and credible. *Interim Guidelines* at pages 20-21.

Applicant respectfully submits that Claim 1 has a utility that is specific, substantial, and credible. For example, Claim 1 discloses (emphasis added):

> determining whether an instruction or operation adds an information entry to or removes the information entry from a relational database in the database system, wherein for an add entry operation, the information entry is first added to an 'out' table ***to improve the operational performance of the database system***, and wherein for a remove entry operation, the information entry is first removed from an 'in' table ***to improve the operational performance of the database system***, the 'out' table is unsearchable by a user, the 'in' table and the 'out' table are located in the relational database.

Thus, Claim 1 produce a useful result.

Concrete Result

Applicant respectfully submits that Claim 1 produces a concrete result. To produce a concrete result, a process must have a result that can be substantially repeatable or the process substantially produces the same result again. *Interim Guidelines* at page 22.

Applicant respectfully submits that Claim 1 has a result that is repeatable and predictable. For example, "determining whether an instruction or operation adds an information entry to or removes the information entry from a relational database in the database system," "determining whether the instruction or operation is part of a modify entry instruction," and "employing the instruction or operation to amend the information entry in the relational database of the database system," are repeatable and predictable. Thus, Claim 1 produces a concrete result.

Tangible Result

Applicant respectfully submits that Claim 1 produces a tangible result. To produce a tangible result, a process claim must set forth a practical application to produce a real-world result. *Interim Guidelines* at page 22.

Applicant submits that Claim 1 sets forth a practical application to produce a real-world result. For example, Claim 1 recites "employing the instruction or operation to amend the information entry in the relational database of the database system." Thus, Claim 1 produces a tangible result.

For at least these reasons, Claim 1 and its dependent claims produce useful, concrete, and tangible results. For analogous reasons, Claim 11 and its dependent claim produce useful, concrete, and tangible results. Accordingly, Applicant respectfully requests reconsideration and allowance of Claims 1-5 and 11-12.

Section 103(a) Rejection

The Examiner rejects Claims 1-5, and 11-12 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,085,188 to Bachmann et al. ("*Bachmann*") in view of U.S. Patent 6,347,312 to Byrne et al. ("*Byrne*"). Applicant respectfully traverses this rejection for the reasons discussed below.

Applicant respectfully submits that the combination of *Byrne* and *Bachmann* as proposed by the Examiner fails to disclose, teach, or suggest elements specifically recited in Claims 1-5 and 11-12. For example, the *Byrne-Bachmann* combination fails to disclose, teach, or suggest:

> determining whether an instruction or operation ***adds an information entry to or removes the information entry from a relational database*** in the database system, wherein for an add entry operation, the information entry is first added to an 'out' table to improve the operational performance of the database system, and wherein for a remove entry operation, the information entry is first removed from an 'in' table to improve the operational performance of the database system, ***the 'out' table is unsearchable by a user, the 'in' table and the 'out' table are located in the relational database.***

as recited in amended Claim 1 (emphasis added).

The Examiner relies on Type I and Type II caches of *Byrne* to teach 'in' and 'out' tables respectively. Office Action, page 4, paragraph 1. The *Byrne* Type I and II caches are, however, ***searchable by the user***:

> In addition, the mechanism modifies information in the caches during (or as a result of) given directory service operations (e.g., modify, modify rdn, delete and add) that would otherwise invalidate the cached information. ***Thus, whenever a repetitive search query is generated within the directory service, search results are selectively fetched from the caches instead of being retrieved from the relational database.*** Cached information remains current at all times using the invalidation routines. This operation significantly reduces the cost of processing the repetitive search query.

Byrne at column 2, line 65 - column 2, line 16 (emphasis added).

Moreover, the *Byrne* caches are ***not located in a relational database***:

> In a preferred embodiment, the Type I and Type II caches are merely separate memory locations of the same random access memory (RAM) of the LDAP server, although any suitable storage area(s) may be used for this purpose.
>
> ***By implementing the Type I and Type II caches in the directory service local storage area, repetitive search queries are handled without resort to the relational database 38.*** This caching mechanism provides significant performance improvements given that conventional LDAP directory servers are search-oriented and have many repetitive searches.

Byrne at column 5, line 63 - column 6, line 6 (emphasis added). *See also Id.* at Figure 5. *See also Id.* at column 3, lines 2-16.

Thus, the combination of *Bachmann* and *Byrne* proposed by the Examiner fails to disclose, teach, or suggest:

> determining whether an instruction or operation adds an information entry to or removes the information entry from a relational database in the database system, wherein for an add entry operation, the information entry is first added to an 'out' table to improve the operational performance of the database system, and wherein for a remove entry operation, the information entry is first removed from an 'in' table to improve the operational performance of the database system, the 'out' table is unsearchable by a user, the 'in' table and the 'out' table are located in the relational database

recited in Claim 1, as amended.

For at least these reasons, the *Byrne-Bachmann* combination fails to disclose, teach, or suggest the combination of elements of Claim 1 and its dependent claims. For analogous reasons, the *Byrne-Bachmann* combination fails to disclose, teach, or suggest the combination of elements of Claim 11 and its dependent claims.

Accordingly, Applicant respectfully requests reconsideration and allowance of Claims 1-5 and 11-12.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicant, at the Examiner's convenience at (214) 953-6494.

No fee is believed to be due at this time. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments presently due to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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